

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT AKRON

IN RE:)	CASE NO. 05-59305
DAVID N. DOLTON)	CHAPTER 7
Debtor)	BANKRUPTCY JUDGE:
*****)	MARILYN SHEA-STONUM
HAROLD A. CORZIN, TRUSTEE)	ADV. PROCEEDING NO.
Commonwealth Square)	
304 N. Cleveland-Massillon Road)	
Akron, Ohio 44333)	
Plaintiff)	
-vs-)	
DAVID N. DOLTON)	<u>C O M P L A I N T:</u>
2876 Oakcrest Drive)	REVOCATION OF
Norton, Ohio 44203)	DISCHARGE PURSUANT
Defendant)	TO 11 U.S.C. §727
)	

Now comes Harold A. Corzin, Chapter 7 Trustee in this estate
and Plaintiff herein, and for his Complaint states as follows:

1. Jurisdiction herein is predicated upon the provisions of 28 U.S.C. §1334, 28 U.S.C. §157(a) and (b) and 11 U.S.C. §727. This matter is a core proceeding as defined by the provisions of 28 U.S.C. §157.
2. Plaintiff is the duly appointed, qualified and acting Chapter 7 Bankruptcy Trustee in this Chapter 7 estate.
3. Defendant is the debtor in this bankruptcy estate which was commenced by the filing of a Voluntary Petition on October 14, 2005.
4. Plaintiff previously filed a complaint against this Defendant seeking a denial of the debtor's general discharge pursuant to the provisions of 11 U.S.C. §727 under Adversary Proceeding No. 06-5101. The allegations and averments in said adversary proceeding are incorporated by reference as if fully rewritten herein.
5. Plaintiff subsequently employed counsel to assist him in properly administering this bankruptcy estate and counsel resolved the aforesaid adversary proceeding; the resolution was memorialized in an Order Authorizing Compromise of Controversy of December 7, 2007.

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6. The aforesaid Order directed that Defendant, DAVID N. DOLTON, restore the sum of \$10,000.00 to the bankruptcy estate. Said funds were to be paid at the rate of \$50.00 per month commencing in May, 2007 and continuing through April, 2008. A balloon payment was due in April, 2008.
7. Despite repeated demands that Defendant comply with the aforesaid Order of this Court, the Defendant has failed and refused to do so.
8. Defendant's failure represents a willful disregard of this Court's Order; coupled with the allegations and averments set forth in Adversary Proceeding No. 06-5101, ample grounds exist for the revocation of the Defendant/Debtor's general discharge pursuant to the provisions of 11 U.S.C. §727.

WHEREFORE, Plaintiff prays that Defendant's general discharge, previously granted on February 21, 2008, be revoked, and for such further and additional relief as may be appropriate.

/s/ Harold A. Corzin
HAROLD A. CORZIN (#0005021)
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